

Exhibit 1

From: Zorn, Matt
Sent: Thursday, December 29, 2022 9:46 AM
To: Rodriguez, Jimmy (USATXS)
Cc: Shane Pennington; Gray, Glenn N
Subject: RE: AIMS v. DEA, 4:22-cv-2396 -- Production - Part I

Jimmy,

Thank you. Appreciate you and your clients working to get us the documents over the holidays.

- I've skimmed the documents. On first glance, it doesn't appear to me that DOJ's production is complete. But I could be wrong.
 - Request No. 1 states "Internal FOIA staff manuals or documents distributed, used, or relied upon by DEA **or DOJ personnel** to process and respond to FOIA requests." This request is not limited to DEA but includes DOJ writ large, except to the extent documents pertain "policies specific to non-DEA offices or divisions," per the Court's order. The same goes for Request No. 2.
 - I read the Court as overruling the Government's limiting objections. As Defendants know, Plaintiffs are interested in the origins of (what we allege) is the unlawful "unusual circumstances" policy and the relationship between DOJ and DEA in formulating FOIA policy and procedures.
 - The Court's order plainly does not limit collection/production of documents in possession, custody, or control of DEA. Indeed, it requires DOJ independently search and produce responsive records except to the extent responsive records "policies specific to non-DEA offices or divisions." I imagine OIP should have something. (Of course, I do not think this requires searching other components/agencies, such as FBI). Please confirm that DOJ has conducted a reasonable search and collection for responsive records and has made its production, or alternatively, no additional records exist. Happy to discuss.
- Please plan on the deposition going forward January 5th in EDVA. My staff is out on holiday, but we'll try to get that set up ASAP.
- Finally, I may have correspondence to send to you next week on one or more items. In the interim, without agreeing to the propriety of DEA's request in the cover letter about sensitive documents, we will oblige DEA's request. But I note now that we have no basis to file any of these documents under seal in conjunction with briefing on a summary judgment motion or any other motion.

Hope you and everyone have a happy and healthy New Years,
Matt

From: Rodriguez, Jimmy (USATXS) <Jimmy.Rodriguez2@usdoj.gov>
Sent: Wednesday, December 28, 2022 4:48 PM
To: Zorn, Matt <mzorn@yettercoleman.com>
Cc: Shane Pennington <s.pennington@vicentesederberg.com>; Gray, Glenn N <Glenn.N.Gray@dea.gov>
Subject: AIMS v. DEA, 4:22-cv-2396 -- Production - Part I

Matt,

Our responses to the 30(b)(6) document requests are attached. I'm sending this in two parts. This first message contains pdfs. The second message will contain two Excel files.

--Jimmy

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